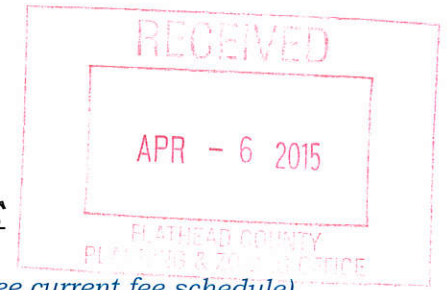


Flathead County

Planning & Zoning

1035 1st Ave W, Kalispell, MT 59901
Telephone 406.751.8200 Fax 406.751.8210



PETITION FOR ZONING AMENDMENT

Submit this application, all required information, and appropriate fee (see current fee schedule) to the Planning & Zoning office at the address listed above.

FEE ATTACHED \$ 939.00

APPLICANT/OWNER:

1. Name: David J. Schmeckle and Schmeckle Brother, LLC
Phone: (406) 250-9911
2. Mail Address: 1101 Whitefish Stage Road
3. City/State/Zip: Kalispell, MT 59901
- 4 Interest in property (if map amendment): Owner

Check which applies: ☒ Map Amendment ☐ Text Amendment:

TECHNICAL/PROFESSIONAL PARTICIPANTS:

1. Name: Sands Surveying Inc. Phone: (406) 755-6481
2. Mailing Address: 2 Village Loop
3. City, State, Zip: Kalispell, MT 59901
4. Email: eric@sandssurveying.com

IF THE REQUEST PERTAINS TO AN AMENDMENT TO THE TEXT OF THE ZONING REGULATIONS, PLEASE COMPLETE THE FOLLOWING:

- A. What is the proposed zoning text/map amendment?

IF THE REQUEST PERTAINS TO AN AMENDMENT TO THE ZONING MAP PLEASE COMPLETE THE FOLLOWING:

- A. Address of the property: 1101 Whitefish Stage Road

- B. Legal Description: Lot 2 and a Portion of Lot 3 of RJS Northern Park Subdivision (See Attached Metes and Bounds)
(Lot/Block of Subdivision or Tract #)

5 - T28N - R21W
Section Township Range (Attach sheet for metes and bounds)

- C. Total acreage: 2.148

- D. Zoning District: Evergreen Zoning District

- E. The present zoning of the above property is: R-5 (Two Family Residential)

- F. The proposed zoning of the above property is: I-1 (Light Industrial)

- G. State the changed or changing conditions that make the proposed amendment necessary: The applicant has owned the subject parcels for a number of

years and has operated a number of businesses in the existing buildings located on Lot 2. The applicant wished to expand one of the businesses when he discovered that he was a legal “non-conforming use” and needed a CUP to expand the business. After meeting with Planning Staff the landowners discovered that the property is located directly adjacent to industrially zoned property. After considering his options, Mr. Schmeeckle decided to request this plan amendment and rezone the property to that of the neighboring properties located to the south. The plan amendment would eliminate the “non-conforming” status, recognize the historical use, and match his neighbors light industrial zoning designation.

Figure 1

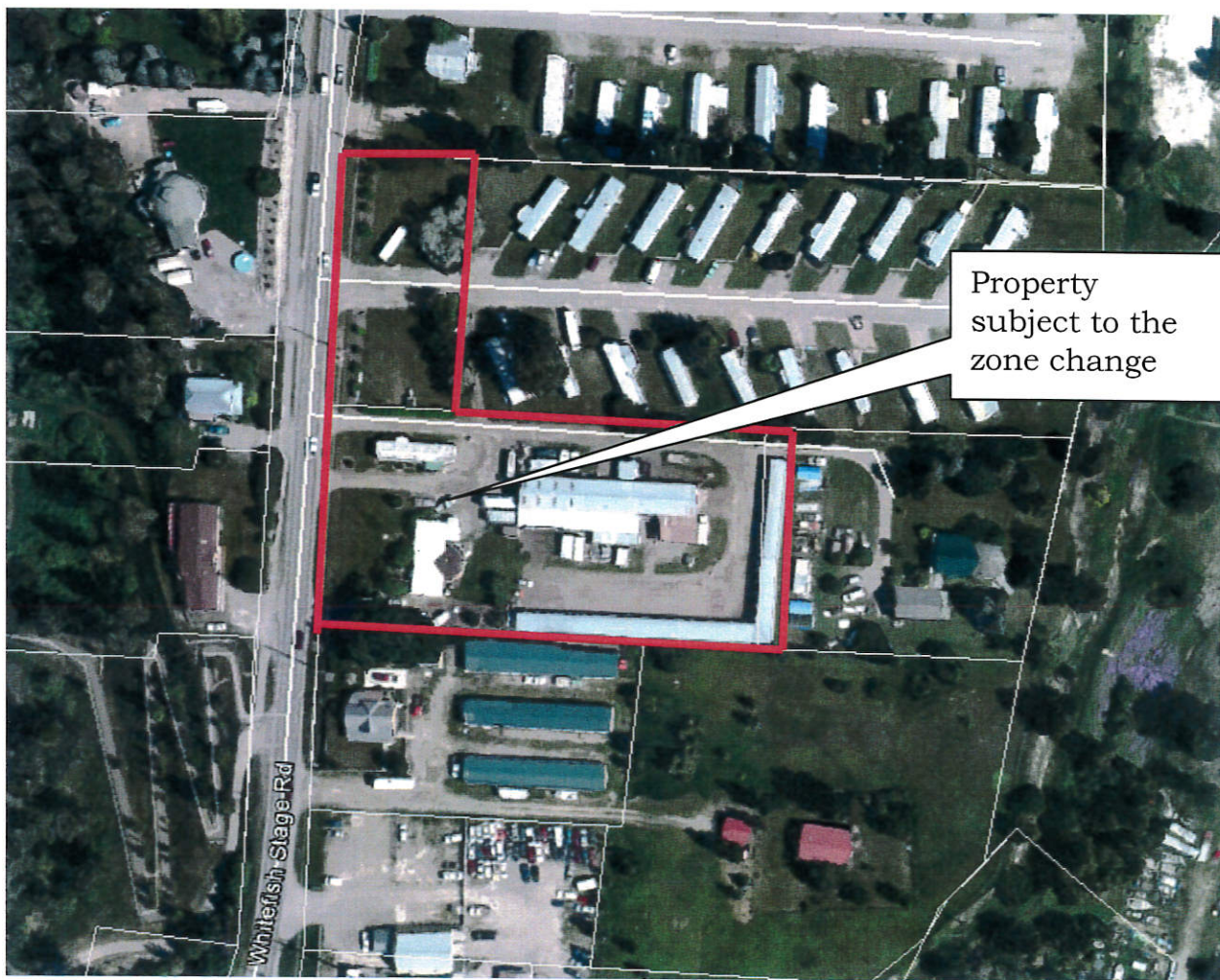
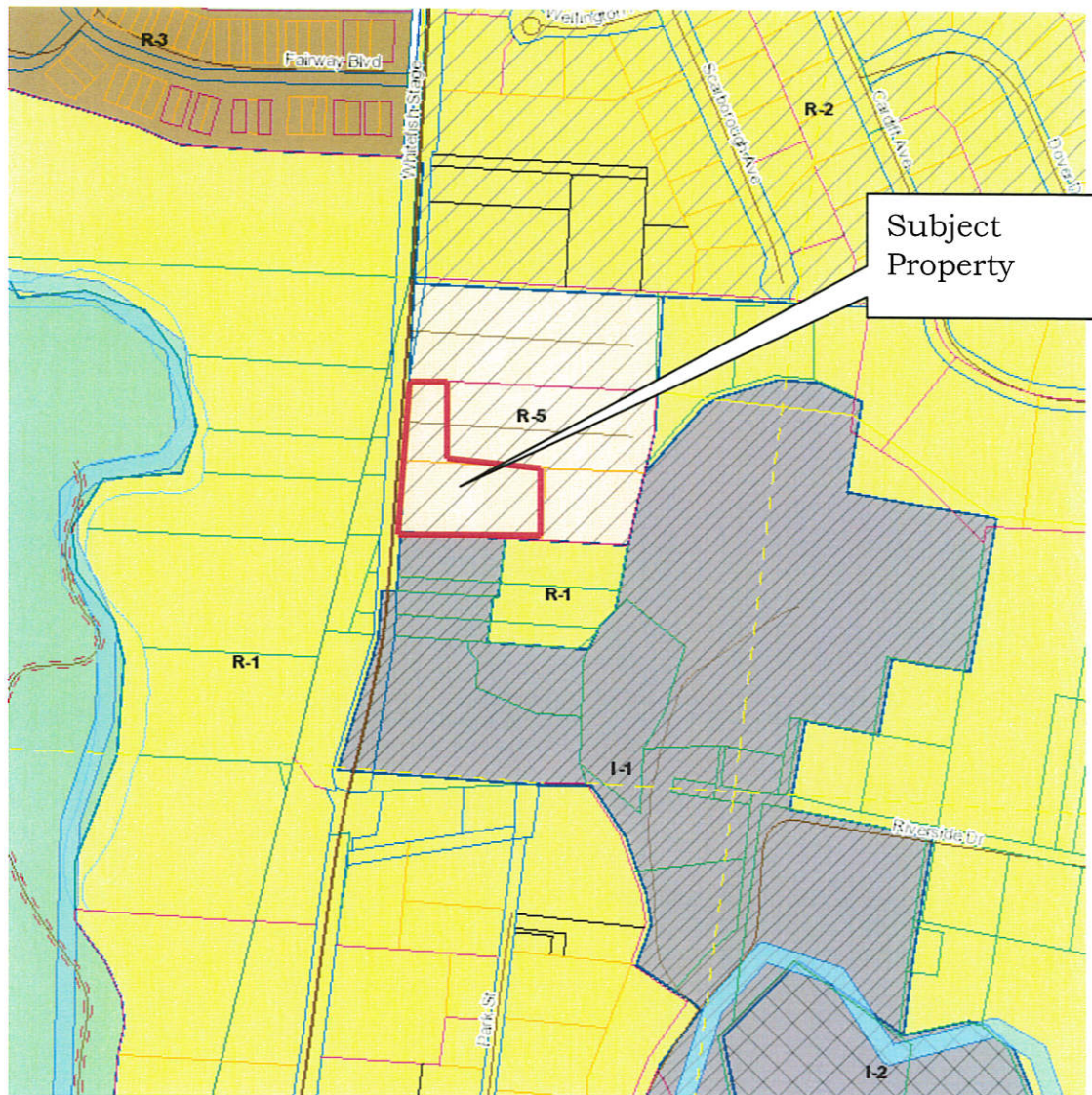


Figure 2 – Zoning Designation, Flathead County GIS



THE FOLLOWING ARE THE CRITERIA BY WHICH ZONING AMENDMENTS ARE REVIEWED. PLEASE PROVIDE A RESPONSE AND *DETAILED* EXPLANATION FOR EACH CRITERION FOR CONSIDERATION BY THE PLANNING STAFF, PLANNING BOARD, AND COMMISSIONERS.

1. Is the proposed amendment in accordance with the Growth Policy/Neighborhood Plan?

The applicant is applying for a Growth Policy Map Amendment concurrently with the proposed zone change application. Should the Amendment to the Kalispell City-County Master Plan – 2010 Map be approved, the proposed zoning map amendment will be in compliance with the Growth Policy Map designations.

The following Goals and Objectives of the Kalispell City County Master Plan – 2010 support the proposed Map Amendment:

Chapter 1

5. Economy

g. Promote the location of business and clean light industry so as to provide job opportunities and maintain Kalispell's position as a retail shopping center for northwest Montana

The proposed map amendment is in proximity to lands already zoned Light Industrial. In addition, the City of Kalispell is in the process of converting the old McElroy Site on Whitefish Stage as a new Industrial Park.

6 Land Use – The orderly development of the Planning Jurisdiction with ample space for future growth while, at the same time, ensuring compatibility of adjacent uses.

The proposed Plan Amendment will expand the neighboring light industrial designation and also recognize the existing uses located on a proption of the site.

e. Establish additional areas for light industrial expansion within or directly adjacent to the City...

Although not directly adjacent to the City, the property is located along a major collector road with light industrial zoning adjacent. The property is not currently served by Public sewer or water. Kalispell sewer and Evergreen water is located approximately ¼ mile north of the subject property.

8. Public Facilities

a. Designate areas of future development which are already serviced or are in areas which can be economically serviced by water and sewer systems, police and fire protection.

Like the neighboring properties, the site is within the Evergreen Fire District and served by Flathead County Sheriff Office. The sites are currently served by on-site sewer and water.

Chapter 5 – Summary and Analysis of the Kalispell City-County Master Plan addresses the deficiency of industrially developed land in the Plan area. Industrial land, "The entire Planning Jurisdiction contains only ½ and Kalispell contains only 1/5 of the industrially developed land normally found in a community of similar size." The Plan states that industrial

development, “provides a two fold benefit to an area. First, industrial land is a major component of the local tax base. Typically industrial lands pay a far greater proportion in taxes than are received back in services. Second, industrial development on average is responsible for creating 1.5 to 2 additional local support, service or retail jobs (non-basic for each industrial (basic) job in a given area.”

2. Is the proposed amendment designed to:

- a. Secure safety from fire and other dangers? The subject property is not mapped within the designated Wildland Urban Interface (Flathead County GIS). The property is not mapped within the 100-year floodplain or even the 500-year floodplain (FRIM Panel 1810G). The property is within the Evergreen Fire District.
- b. Promote public health, public safety and the general welfare? The proposed use will be a clean light industrial business consistent with the proposed Light Industrial zoning classification. The property accesses off Whitefish Stage which is a major collector compatible with industrial use. The Flathead County Sheriffs Office provides police protection and the Evergreen Fire Department provides fire protection. The I-1 zoning classification provides setback, height, and land use requirements that also promote public health, public safety, and general welfare.
- c. Facilitate the adequate provision of transportation, water, sewerage, schools, parks and other public requirements? Currently, the property is served by on-site sewer and water. Kalispell Sewer and Evergreen Water mains are located approximately ¼ mile to the north. The existing septic and wells are permitted by the Flathead City-County Health Department.

3. Does the proposed amendment consider:

- a. The reasonable provision of adequate light and air? The proposed Light Industrial designation is located directly adjacent to Whitefish Stage. The property is currently developed with a large shop building, mini-storage structures, and two residences. In addition, the proposed I-1 zoning classification has its own setback and height restrictions to provide for adequate light and air.
- b. The effect on motorized and non-motorized transportation systems? The property subject to the zoning map amendment currently has three

driveways onto Whitefish Stage Road (Figure 1) serving the existing uses on the property. Whitefish Stage is classified as a Major Collector. There is a bike/ped path on the west side of Whitefish Stage connecting Lawrence Park on the south with Reserve Drive on the north. Because of the existing use, the proposed zone change should have very little impact on Whitefish Stage and the Pedestrian Path.

- c. Compatible urban growth in the vicinity of cities and towns that at a minimum must include the areas around municipalities? The subject property is just outside the City Limits of Kalispell and is considered in the urban area of Kalispell and Evergreen. In communications with the Kalispell Planning Director, Tom Jentz, the subject property is within the area of future annexation but the City has no plans in the next twenty years to extend services into this neighborhood.
- d. The character of the district and its peculiar suitability for particular uses? The property currently has a large shop building, mini-storage use, and two residences, one of which is owner's residence/office for the mini-storage and trailer park. Directly south of the applicants property are several parcels zoned industrial already and site of mini-storage, u-haul rental, tow truck business, auto repair, and cell tower. The zone change will recognize the existing uses on the property.



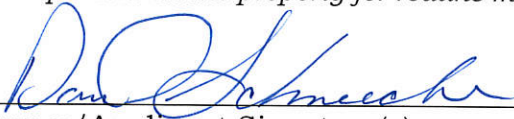


- e. Conserving the value of buildings and encouraging the most appropriate use of land throughout the jurisdictional area? The proposed zoning will recognize the existing land use and match the light industrial zone that adjoins neighboring the property. Other adjacent land uses include two mobile home parks on the north and single family residences across the road to the west. The proposed land use is consistent the existing uses on the property and those uses directly south of the property.
4. Is the proposed amendment, as nearly as possible, compatible with the zoning ordinances of nearby municipalities?

The nearest City Zoning is the Fairway Boulevard Townhouse ¼ mile to the north (Zoned R-3 Residential); Laurence Park an 1/8 mile to the west (Zoned Public); and the future industrial park 1/3 mile to the south (Zoned 1-2, Industrial). There

does not appear to be any clear plan for this area and the existing zoning does not match the 1986 Master Plan designations.

The signing of this application signifies approval for the Flathead County Planning & Zoning staff to be present on the property for routine monitoring and inspection during approval process.


Owner/Applicant Signature(s)

3/25/15
Date

APPLICATION PROCESS

APPLICABLE TO ALL ZONING APPLICATIONS:

A. Pre-Application Meeting:

A pre-application meeting is highly recommended. This can be scheduled at no cost by contacting the Planning & Zoning office. Among topics to be discussed are: Master Plan compatibility with the application, compatibility of proposed zone change with surrounding zoning classifications, and the application procedure.

B. Completed application.

C. Application fee.

D. The application must be accepted as complete by the Flathead County Planning & Zoning staff prior to the date of the planning board meeting at which it will be heard in order that requirements of state statutes and the zoning regulations may be fulfilled.

APPLICABLE TO APPLICATIONS FOR ZONE CHANGE:

A. Application Contents:

1. Completed Zone Change application, including signatures of all property owners applying for zoning map amendment.

IF this is a **MAP** amendment the following are also required:

- i) A map showing the location and boundaries of the property (*vicinity map*).
- ii) A Title Report of the subject property
- iii) **Certified** Adjoining Property Owners List must be submitted with the application (*see forms below*). The list will be sent directly to the Planning & Zoning office, unless you request otherwise. This list is valid for a period of 6 months from date generated. You may also get a certified adjoining landowners list from a title company if you choose.